

FILED

NOV - 2 2016

U. S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

DANIEL STIMMEL,

Defendant.

No.

4:16CR00481 RLW/PLC

INDICTMENT

COUNT I

The Grand Jury charges that:

Between on or about January 2005 and continuing through on or about March 2016, with the exact dates unknown, in St. Louis County within the Eastern District of Missouri and elsewhere,

DANIEL STIMMEL,

the Defendant herein, did device a scheme and artifice to defraud his employer of money and valuable property through the diversion of vehicles from the company fleet to third parties he controlled which vehicles were ultimately sold for Defendant's benefit and in furtherance of and to carry out an essential step of the same scheme did use and cause to be used the U.S. Mail.

In violation of Title 18, United States Code Section 1341.

COUNT II

Between on or about January 2005 and continuing through on or about March 2016, within the Eastern District of Missouri and elsewhere,

DANIEL STIMMEL,

the Defendant herein, conducted financial transactions affecting interstate commerce, to wit: the interstate transfer of currency representing the proceeds of the fraud scheme alleged in count I

knowing said currency represented the proceeds of unlawful activity and for the purpose in whole or in part to conceal or disguise the nature, location, source ownership and control of said proceeds.

In violation of Title 18, United States Code Section 1956.

FORFEITURE ALLEGATION

The Grand Jury further finds by probable cause that:

1. Pursuant to Title 18, United States Code, Sections 981(a) and Title 28, United States Code, Section 2461(c), upon conviction of an offense in violation of Title 18, United States Code, Section 1341 as set forth in Count I, the defendant shall forfeit to the United States of America any property, real or personal, constituting or derived from any proceeds traceable to such violation(s).

2. Pursuant to Title 18, United States Code, Sections 982(a), upon conviction of an offense in violation of Title 18, United States Code, Section 1957, as set forth in Count II, the defendant shall forfeit to the United States of America any property, real or personal, involved in such offense, or any property traceable to such property.

3. Subject to forfeiture is a sum of money equal to the total value of any property, real or personal, constituting or derived from any proceeds traceable to such violation(s) or involved in such offense(s), or any property traceable to such property.

4. Specific property subject to forfeiture includes, but is not limited to, the following:

- A. Vanguard 401k Account #095873 - Liebert Corporation Profit Sharing Plan;
- B. Vanguard 401k Account #095872 - The EE Profit Sharing Retirement Plan;
- C. Vanguard 401k Account #095872 - The EE Employee Savings Investment Plan;

- D. 2016 Ram Truck 1500 SLT Crew Pickup, VIN: 3C6RR7LT2GG201407;
- E. 2015 Featherlite MFG, Inc, Trailer, VIN: 4FGA42022FC136766;
- F. 2015 Volvo Trailer, VIN: 4H1062620F0490098;
- G. 2014 Honda Grom Motorcycle, VIN: MLHJC6115E5001416;
- H. 2013 Ram Truck 3500 ST, Crew Pickup, VIN: 3C63RRGL2DG568296;
- I. 2013 Chevrolet Suburban K2500, VIN: 1GNWKMEG2DR172914;
- J. 2009 Dodge Challenger, SRT-8, VIN: 2B3LJ74W09H636431;
- K. 2006 Harley-Davidson, VRSCR Motorcycle, VIN: 1HD1HCZ4X6K800322;
- L. 2005 Subaru, Trailer, VIN: 5JWU081851004646;
- M. 2003 Harley-Davidson, FXSTDI, Anniversary Motorcycle, VIN: 1HD1JBB443Y073132;
- N. 2001 GM Bus, VIN: 1GHGB2626YH065145;
- O. 2014 Bennington Marine Corp, 22 ft 0 in Houseboat, Hull #ETW96135J314;
- P. Real Property known as 8555 Rausch Drive, Unit 203, Plain City, Ohio 43064, Executive Storage Estates Condo, Estates Phase 3B, Unit 203, Lot 17, Parcel #201407150004717, Union County, Ohio;
- Q. Real Property known as 8555 Rausch Drive, Unit 205, Plain City, Ohio 43064, Executive Storage Estates Condo, Estates Phase 3B, Lot 17, Parcel #1500270190690, Union County, Ohio, and
- R. Real Property known as 8555 Rausch Drive, Unit 206, Plain City, Ohio 43064, Executive Storage Estates Condo, Estates Phase 3B, Lot 17, Parcel #1500270190700, Union County, Ohio.

5. If any of the property described above, as a result of any act or omission of the defendant(s):

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or

without difficulty,
the United States of America will be entitled to the forfeiture of substitute property pursuant to
Title 21, United States Code, Section 853(p).

A TRUE BILL

FOREPERSON

RICHARD G. CALLAHAN
United States Attorney

THOMAS C. ALBUS, #46224MO
Assistant United States Attorney